

Development Management Sub Committee

Wednesday 23 September 2020

**Application for Planning Permission 20/02413/FUL
at Land 102 Metres Southeast Of The Farmhouse,
Almondhill, Kirkliston.**

**Development of a 48 bed care home (class 8) and associated
access, parking and landscaping.**

Item number

Report number

Wards

B01 - Almond

Summary

The provision of a care home in this location is an acceptable departure from the adopted Edinburgh Local Development Plan. The proposal will not compromise a strategic housing need in this location and the provision of a care home is a complementary use to achieve sustainable communities. The proposal will not have a detrimental impact on the setting of the nearby listed building or adversely impact on its landscape setting. The proposal is for a contemporary and well designed care home that will have a neutral impact on its rural/urban surroundings. The proposal will not impact on neighbouring amenity and residents of the care home will have access to a variety of amenity spaces. The proposals do not raise a road safety issue and comply with the parking standards. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES09, LEN03, LEN09, LEN12, LEN21, LHOU07, LHOU10, LTRA02, LTRA03, LTRA04, NSG, NSGD02, OTH, HEPS, HES, HESSET,

Report

Application for Planning Permission 20/02413/FUL at Land 102 Metres Southeast Of The Farmhouse, Almondhill, Kirkliston.

Development of a 48 bed care home (class 8) and associated access, parking and landscaping.

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The application site is the western portion of a greenfield site on the western edge of Edinburgh, near Kirkliston and measures approximately 0.81 ha. It is part of housing allocation site HSG3 (North Kirkliston) in the Edinburgh Local Development Plan.

The site is near to green belt land, located north, east and south of the site. To the south of Burnshot Road is a local nature conservation site.

The site has a tree belt on its west side, and it is largely hidden from public view by thick planting on its south side. To the north of the site lies Almondhill House, a C listed building (Date of listing: 08 March 1994, Reference: LB26736).

Almondhill Cottages lie further to the east and Almondhill Steading to the north-east, a category B listed building (Date of listing: 08 March 1994, Reference: LB26748). All have been converted to residential use. Edinburgh airport runway lies further east.

To the south, on the other side of Burnshot Road, there is a cycle path. A local path runs from Almondhill Cottages in the east, through the trees, south of Almondhill House, north and then west to join up with the existing cycle and road network.

2.2 Site History

Land adjacent to the application site has the following permission:

17 May 2018 - Planning permission in principle granted for the erection of detached dwellings, vehicle and pedestrian access, associated landscaping/open space on the eastern part of paddock (application reference 17/00804/PPP).

24 December 2019 - Approval of matters granted for the erection of 11 detached dwellings, with landscaping, parking, access and associated works (as amended) (application reference 19/03263/AMC).

Main report

3.1 Description of the Proposal

The application is for the development of a 48-bed care home (Class 8) with associated access, parking and landscaping.

The footprint of the proposed development is to occupy approximately 1482 sqm of the site and it will be two storeys in height with a flat roof. The roof will also incorporate an additional flat roof feature that is to provide access to the proposed sedum rooftop terrace. Additional amenity space is to be provided to the east of the site and in the form of two covered terraces on the first floor of the east facing side of the building. A corner covered terrace is also proposed on the ground and first floor on the south facing elevation of the new building.

A mix of treatment finish is proposed, including white render walls, slate effect grey tiles, anthracite grey powder coated aluminium windows, sedum flat roof, timber effect walling, zinc and natural stone walls.

It is proposed to form a vehicular access and a pedestrian footpath to the south of the site from Burnshot Road.

12 car parking spaces, including two disabled bays are to be provided. Additional parking within the site will include two electric vehicle charging spaces, two motorcycle parking spaces and two cycle parking spaces.

The scheme includes a mixture of soft and hard landscaping. It is proposed to retain the existing tree belt to the west of the site. An area of grass land is to be provided to the north of the site.

The following information was provided. These documents are available to view on the Planning and Building Standards Online Service:

- Design and Access Statement;
- Landscape Visual Impact;
- Planning Statement;
- Transport Statement;
- Tree Report and
- Drainage Strategy Report.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of the development in this location is acceptable;
- b) the proposals preserve the character and setting of the listed building;
- c) the proposals conserves and enhances the landscape setting;
- d) the proposed scale, design and materials are acceptable;
- e) the proposal is detrimental to the amenity of neighbours;
- f) the proposal will provide sufficient amenity for the occupiers of the development;
- g) the proposal affects road safety;
- h) the proposals affect trees;
- i) other material planning matters have been addressed and
- j) public comments raised have been addressed.

a) Principle

The application site is part of the remaining land not developed under HSG3 (North Kirkliston) in the adopted Edinburgh Local Development Plan (LDP). Housing proposal HSG3 was identified in the previous local plan to meet a strategic housing need with an estimated capacity to deliver 680 homes. A total number of 712 new homes was completed under HSG3 and has already delivered more than its original projection which is a relevant material consideration in justifying an alternative use other than housing. In addition, the land adjacent to the site will see a further 11 new homes as approved under application 19/03263/AMC which would bring a total of 723 new homes under HSG3.

LDP Policy Hou 10 (Community Facilities) seeks to ensure that housing developments go hand in hand with the provision of a range of community facilities when this is practicable and reasonable in order to foster community life.

While the introduction of a care home on this site is a non-conforming use in terms of the LDP designation, the aim of the LDP plan is to create sustainable communities. The provision of a local care home is an important function within a community and relatives should be able to walk or cycle to see their relatives in care homes. The proposal would be compatible with the objectives of LDP Policy Hou 10.

In summary, the delivery of a care home on the site will not compromise a strategic housing need as there is sufficient land supply to deliver homes in the City and this is a relevant material consideration in justifying an alternative use other than housing.

The HSG3 designation has already delivered more than its original projection. In addition, a care home is a complementary use to housing and can be considered as part of the Council's drive to create sustainable communities. Therefore, the principle of a care home on the site is acceptable, subject to compliance with other policies in the LDP.

b) Listed Building Setting

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states: *"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

LDP Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Historic Environment Scotland's (HES) guidance note Managing Change in the Historic Environment: Setting sets out the principles that apply to altering the setting of historic buildings.

The listed Almondhill Farmhouse to the north of the site occupies an area of high ground that overlooks the river valley of the River Almond to the south. Almondhill Farmhouse was formed in 1815 from the merger of smaller farms of Catelbock, Loanhead and Meadow.

An 1855 historic map show two points of access to the farmhouse, with the siting of the building designed to take advantage of the rolling landscape views to the south. Whilst the curtilage of the building was located within an open green setting, the map also show that its curtilage was designed to be enclosed from outside views, with the planting of a tree belt along the southern aspect of the site separating itself from the surrounding farm land which continues to exist to the present day. Views through the existing tree gap to the south and beyond to the Pentland Hills has prevailed and this also contributes to the relationship setting of the building with its surroundings.

The proposal will not be detrimental to the historic setting of the farmhouse. The proposal will be set back from the listed building, and it will utilise the existing slope to the maximum effect. The site to the north will have an area of grassland and wildflower meadow, which provides a good buffer to the setting of the listed building. The orientation and siting of the proposal on the eastern section of the site allows much of the existing woodland to be retained and to preserve the unobstructed views to the south from Almondhill Farm. The layout of the proposed parking will not dominate the approach and it will not affect the views of the listed building, that will be opened up. In these circumstances, the proposal has been appropriately designed to minimise its visual impact on the setting of the farm, and it will not be detrimental to its architectural character and historic interest.

The proposal complies with LDP Policy Env 3 and HES Managing Change guidance in compliance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) Landscape Impacts

LDP Policy Des 9 (Urban Edge Development) states that planning permission will only be granted for development on sites at the green belt boundary where it conserves and enhances the landscape setting and special character of the city; promotes access to the surrounding countryside if appropriate; includes landscape improvement proposals that will strengthen the green belt boundary and contribute to multi-functional green networks by improving amenity and enhance biodiversity.

The application site lies within an area of continuing change, with recent housing developments on former green belt land and this is a relevant consideration.

Due to the existing tree belt on the western section of the site, the visual impact on the landscape setting on approach from Burnshot Road will be limited. In addition, to the east of the site, it will be the forthcoming housing development under application 19/03263/AMC that will be visible. Due to the scale and the contemporary designed nature of the proposal, the southerly aspect of the building will have some impact on the landscape setting, changing the character from rural to urban. Whilst the use of white render will be visible from distant views, the proposal will utilise an appropriate mix of materials, and it will not be unduly dominant within the landscape setting of the wider area. The proposal will be set back from Burnshot Road by approximately 12 metres and it includes appropriate landscaping proposals to minimise its visual impact, with the incorporation of trees and a new hedgerow. The proposal will not result in unreasonable harm to the landscape setting of the area.

The proposal includes a new footpath on Burnshot Road which will link itself to the neighbouring developments to the east and west of the site. This will improve the existing connectivity situation within the area.

The proposal complies with LDP policy Des 9.

d) Development Design

LDP Policy Des 1 (Design Quality and Context) seeks to ensure that new development proposals will create or contribute towards a sense of place.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) seeks to ensure that new development proposals are informed by a detailed analysis and understanding of the site.

LDP Policy Des 4 (Development Design -Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regards to, height and form; scale and proportions, position of buildings and other features on the site; and materials and detailing.

LDP Policy Des 7 (Layout Design) seeks to ensure that new development proposals enhance community safety and vitality with well connected spaces.

The proposal is for a contemporary designed care home that would infill a gap site between a recent housing development to the west and a site earmarked for new homes to the east. The proposal is mainly two storeys in height, which is comparable with the existing height of neighbouring developments. The addition of a third storey on the rooftop is set back from the edge of the building when viewing the proposal to the south on Burnshot Road; this feature will read as a modest architectural element. The proposal will have a long elevation on its east and west facing sides. Due to the existing tree belt on the western section of the site, the scale and massing of the proposal will not read as a prominent feature. The proposed east facing elevation will face onto the gable elevations of the recently approved housing under application 19/03263/AMC. The proposal will be visible, but the building will be set back from the boundary, to avoid forming a dominant addition. For this reason, the extent of the proposed white render on the east and west elevation will not have a detrimental impact on the visual appearance of the area.

The proposal will utilise a complimentary mix of materials to add visual interests to different parts of the building. Given that the south elevation on the building is the principal elevation on approach from Burnshot Road, the proposed elevational treatment between the white render and natural stone will help to breakdown its scale and massing. The specification of the proposed natural stone was not provided. It will be important to ensure that reconstituted stone is not used which would have the effect of undermining the quality and contemporary nature of the proposal in this urban/rural setting. A condition will be required to ensure that sample details of all the proposed treatment finish is provided.

The proposed building has been strategically designed at an angle to utilise the existing slope to the maximum effect and to preserve as much of the woodland character as possible. In addition, the proposed layout allows for views towards Almondhill Farmhouse to the north to be opened up, enabling a new viewpoint to be achieved. To this effect, the proposal will contribute towards a sense of place.

In terms of providing active travel links throughout the site, a planning statement was provided to explain why this is not possible. Due to the proposed use as a care home, a level of security and separation from the wider area is required to be maintained in order to ensure the safety of residents. The provision of open space is to be reserved for residents, visitors and staff only, with no public spaces provided. The proposal will provide vehicular/cycle and pedestrian access into and out of the site. This will enable the development to connect with the wider area and it will be within walking distance to the nearest bus stop on the Main Street. The safety of residents is a relevant material consideration in its use as a care home in this location. Therefore, an exception to LDP policy Des 7 is justified.

The provision of a care home in this location will have a higher density of development compared to its surroundings, which is characterised by individual housing developments in this rural/urban setting.

However, the proposal has been conscientiously designed to address the constraints of the site and to minimise its visual impact on its landscape setting and nearby listed building setting which is a relevant material consideration. The proposed layout, including the landscaping and parking, is acceptable. In these circumstances, the proposed scale, form and design of the development will not read as an overdevelopment of the site.

While the proposals do not strictly accord with LDP Policy Des 7, the safety of residents of the care home is a relevant consideration that outweighs the objectives of this policy.

Overall, the proposal complies with LDP Policies Des 1, Des 3, Des 4 and Des 7.

e) Amenity - Neighbours

LDP Policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected in relation to noise, daylight, sunlight, privacy or outlook.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) states that developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

The amenity of the existing residential development within Catelbock Close to the west of the site will not be impacted by the proposal.

The land adjacent to the east of the application site has permission to be developed for housing under application 19/03263/AMC. Works on this site have not started. The submitted overshadowing analysis demonstrates that future occupiers of that development will have acceptable levels of sunlight within the new gardens during the spring equinox.

The submitted cross section c-c drawing demonstrates that the siting and height of the proposal will not impact on the amenity of future occupiers to the east of the site in terms of daylight.

The proposed windows on the east facing elevation will have a privacy distance between 16-18 metres to the prospective housing plots to the east of the site. The proposed windows will not result in adverse overlooking into neighbouring properties or impact on outlook.

The proposal includes a rooftop terrace. The nearest section of the east facing elevation has the potential to overlook one garden plot to the east of the site with an approximate privacy distance of 8 metres to the boundary. However, the section is small, and it is not expected to result in harmful levels of overlooking.

The provision of a care home on this site would be a complementary use to the existing housing developments in the area and would not materially affect the living conditions of nearby residents in terms of noise and its use.

The proposal will not prejudice the ability of the neighbouring development to be implemented under application 19/03263/AMC.

In summary, the proposal will not have an adverse impact on the amenity of neighbouring development and complies with LDP policy Des 5 and Hou 7.

f) Amenity - Occupiers

LDP Policy Des 5 (Development Design - Amenity) seeks to ensure that future occupiers of a development have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or outlook.

The Edinburgh Design Guidance advises that attention should be paid to the orientation of care homes and long-term residential homes. Residents should be able to access a garden space that is attractive, welcoming, well-lit by natural light throughout the year, and which allows a circuitous walking route to be created.

The provision of a care home is not subject to the minimum floor space standard as contained in the Edinburgh Design Guidance.

The proposed living spaces within the development will ensure that residents will have adequate levels of daylight.

A secure area of open space is to be provided to the east of the site for the residents. The submitted overshadowing analysis demonstrates that this space would mostly have morning sunlight for approximately three hours during the summer months. Whilst this space is small and would receive limited sunlight at different times in the day, the proposal includes a roof terrace which would provide occupants of the care home with suitable access to all year-round sunlight in an outdoor setting. In addition, the proposal includes two covered terraced areas on the east facing elevation, with access via the proposed day room and library room. The siting of the proposal has been designed to address the constraints of the site, including the setting of the nearby listed building, amenity of neighbouring developments and the requirements for a secure care home provision. These factors are relevant material considerations in assessing the variety of amenity spaces that be provided within the development. On balance, residents will have suitable access to an outdoor setting and will have acceptable level of amenity overall.

Due to the safety concerns for the prospective residents of the proposed care home, circuitous walking routes within the site cannot be provided. This is a minor infringement against the overall benefits of the scheme.

The proposals comply with LDP Des 5.

g) Road Safety

LDP Policies Tra 2- Tra 4 set out the requirement for private car and cycle parking.

The proposed 14 car parking spaces, including the two disabled bays and the two electric vehicle charging spaces, comply with the maximum parking standards as contained in the Edinburgh Design Guidance. In addition, the proposed two motorcycle parking spaces comply with guidance.

There is a requirement to provide a minimum of three secure cycle parking spaces. The submitted site plan only provides for two cycle parking, but no detail has been provided. Therefore, a condition is required to ensure the provision of three cycle parking on this site.

The proposal will be within walking distance of the nearest bus stop on the Main Street.

In terms of traffic impact, the proposed development is predicted to generate 22, two-way peak vehicular trips (14:00-15:00) and falls outside the road network peak morning and evening period. In these circumstances, the proposal will not have an adverse impact on the existing road network.

The applicant has demonstrated that an appropriate visibility splay can be achieved for the site access. In addition, it has been demonstrated that servicing within the site can be undertaken.

A number of representations received were concerned with the traffic and road safety impacts at the existing Burnshot junction to the west of the site. In addition, concerns were raised at the number of access roads that would be created within a short distance as a result of this proposal and the adjacent development under application 19/03263/AMC. The Roads Authority was consulted on the proposal and has raised no issues in terms of road safety and traffic impact. In addition, there are no transport actions identified in the LDP Action Programme (updated February 2020) to seek contributions to address an infrastructure need in this location under HSG or to provide additional public transport.

Subject to a condition securing cycle parking, the proposal complies with LDP policies Tra 2- Tra 4.

h) Trees

LDP Policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention, unless necessary for good arboricultural reasons.

The proposal is to incorporate the existing boundary trees around the curtilage of Almondhill Farmhouse to the north and the tree belt to the west of the site. This would preserve the important contributions made by these trees to the character, biodiversity and amenity of the area and is acceptable.

A small amount of vegetation is to be removed, which is necessary to accommodate the new care home, and this is acceptable.

The proposal complies with LDP policy Env 12.

i) Other Material Considerations

Flood Impacts

LDP Policy Env 21 (Flood Protection) seeks to ensure that that a development does not result in increased flood risk for the site being developed or elsewhere.

A Drainage Strategy Report was submitted, and Flood Planning has raised no issues.

The proposal complies with LDP policy Env 21.

Archaeology

LDP Policy Env 9 (Development of Sites of Archaeological Significance) seeks to safeguard significant archaeological features/remains.

The site is regarded as being located within an area of archaeological potential to contain archaeological remains associated with the development of the 16th century Cattlebuck Farm and its prehistoric occupation (including possible funerary remains) dating over 6000 years to the early Neolithic. The development will require significant ground-breaking activities associated with construction, landscaping and associated works which would have an adverse impact upon any surviving remains.

Whilst the overall significance of such impacts is regarded as low to moderate, a planning condition is required to ensure that a programme of archaeological excavation is carried out in order to fully excavate, record and analyse any significant buried remains affected.

Aerodrome Safeguards

The proposal is to incorporate a sedum flat roof and has the potential to attract birds. Due to the proximity of the proposed development to Edinburgh Airport, a Bird Hazard Management Plan is required. This is to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport. A planning condition requiring this information will therefore be required.

Sustainability

LDP Policy Des 6 (Sustainable Buildings) seeks to tackle causes and impacts of climate change, reduce resource use and moderate the impacts of development on the environment.

The proposal complies with the car parking standards as contained in the Edinburgh Design Guidance and makes provision for electric vehicle charging points. The development will not increase a risk of flooding or be at risk of flooding and the proposal is to incorporate a green roof. A condition is required to ensure that a provision of three cycle parking is provided on the site to encourage cycling.

In terms of carbon reduction using low and zero carbon generating technologies, this will be addressed through the building warrant stage in line with the latest regulations.

The proposal complies with LDP Policy Des 6.

j) Public Comments

Material Comments - Objection

- Principle - Addressed in Section 3.3 (a).
- Will be no green belt left in the village - Addressed in Section 3.3 (a).
- Impact on the setting of Almondhill Farmhouse - Addressed in Section 3.3 (b).
- Landscape impacts - Addressed in Section 3.3 (c).
- Development design and overdevelopment - Addressed in Section 3.3 (d).
- Neighbouring amenity (overlooking and noise) - Addressed in Section 3.3 (e).
- Traffic/ Infrastructure and road safety impacts - Addressed in Section 3.3 (g).
- Insufficient parking provided - Addressed in Section 3.3 (g).
- Loss of trees - Addressed in Section 3.3 (h).

Material Comments - Support

- Provision of a care home would be a welcome addition to the area - Addressed in Section 3.3 (a).
- Development design - Addressed in Section 3.3 (d).
- Well positioned for public transport and cycle paths - Addressed in Section 3.3 (d) and (g).
- Would be good if a bus stop is provided on Burnshot Road - Addressed in Section (g).

Material Comments - General

- Insufficient parking spaces for the proposed development - Addressed in Section 3.3 (g).
- Location to nearest bus stop is on Main Street and part of walking route between there and to the site is not well lit. Therefore, there will be less incentive to use public transport and to park on housing estates nearby - Addressed in Section 3.3 (g).

Non-Material Comments - Objection

- Reduction in production capacity of surrounding farms - the site is already an allocated housing site in the LDP.
- Kirkliston Village has suffered from many years of continuous building works - this does not preclude assessment of the proposal.
- Construction logistics - this does not preclude assessment of the proposal and planning cannot control or condition construction works.
- Had no rear neighbours for last ten years and believed that the land would remain free of housing or buildings - the site is part of housing proposal HSG 3 which was identified in the previous local plan to meet a strategic housing need and this does not preclude assessment of the proposal.

- Sales particulars and collaboration between landowner and developers of the approved 11 homes under application 19/03263/AMC to avoid affordable housing contributions - Carries no material weight in the assessment of the proposal.
- The care home will not be affordable to residents in the area - Not relevant to the assessment of the proposal.
- Sewage capacity - The applicant is to engage with Scottish Water to confirm they agree with the proposed surface water discharge to the surface water sewer, following their technical approval stages. This does not preclude assessment of the proposal.
- Suggestion that the existing approval for the 11 homes is re-visited to see if a common access can be arrived at which could accommodate the planning application for the care home - the application is assessed as submitted and against the policies in the Edinburgh Local Development Plan.
- Increased presence in this vicinity will potentially have security risks - the proposal is for a care home within a residential area.
- Nursing homes are high risk spots for COVID19 and proximity to nearby housing developments not suitable - Current guidelines on COVID19 measures are available on the Scottish Government website and is managed under a separate statutory regime.

Non-Material Comments - Support

- Would generate employment to the area - Care home use does not fall within the categories of development define as employment use.
- Would lead to additional services being provided in the area - This is speculative and carries no weight in the assessment of the proposal.
- Would be good if public rubbish bins and dog waste bins are provided - this is not a planning matter.
- Would be good to provide an easy crossing and access to the public footpath along the old railway line to give safer access for residents of Catelbock and the proposed development - no identified actions in the LDP Programme and does not preclude assessment of the proposal.

Non-Material Comments - General

- Speed limits within Burnshots Road not being adhered with - This is a police matter.
- Construction traffic - Not relevant to the assessment of the proposal.

CONCLUSION

In conclusion, the provision of a care home in this location is an acceptable departure from the adopted Edinburgh Local Development Plan. The proposal will not compromise a strategic housing need in this location and the provision of a care home is a complementary use to achieve sustainable communities. The proposal will not have a detrimental impact on the setting of the nearby listed building or adversely impact on its landscape setting. The proposal is for a contemporary and well designed care home that will have a neutral impact on its rural/urban surroundings.

The proposal will not impact on neighbouring amenity and residents of the care home will have access to a variety of amenity spaces. The proposals do not raise a road safety issue and complies with the parking standards. There are no material considerations that would outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions :-

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. Notwithstanding the approved drawings, three cycle parking shall be provided on the site. Details of the proposed cycle parking shall be submitted to and approved in writing by the Planning Authority before commencing works on the site. The approved cycle parking shall be implemented before the operation use of the care home.
3. Notwithstanding the approved drawings, samples of the proposed materials shall be submitted to and approved in writing by the Planning Authority before work commences on site.
4. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority.
5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to accord with policy Tra 3 (Private Cycle Parking) and Policy Tra 4 (Design of Off-Street Car and Cycle Parking) in the adopted Edinburgh Local Development Plan.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To ensure that the development minimises its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.
5. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The Bird Hazard Management Plan must ensure that flat/ shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access ladders or similar. The owner/ occupier must not allow gulls, to nest roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/ occupier when detected or when requested by BAA Airfield Operations staff. The owner/ occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/ occupier must obtain the appropriate licences from the Scottish Executive Environment and Rural Affairs Department (SEERAD) before the removal of nests and eggs.

5. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 'Cranes and Other Construction Issues'.
6. We would encourage the applicant to continue to engage with Scottish Water to confirm they agree with the proposed surface water discharge to the surface water sewer, following their technical approval stages.
7. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0845 762 6848.

Further information is also available on the Coal Authority website at www.coal.decc.gov.uk.

Property specific summary information on past, current and future coal mining activity can be obtained from the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

8. The applicant will be required to contribute:
 - a. the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
 - b. the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - c. the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on sections of Burnshot Road (starting from existing 30mph sign towards Kirkliston), and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed.

9. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details. Swept path diagrams for 12m long vehicles, together with bin store locations and collection arrangements will be required

10. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.

11. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.

12. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Neighbours were notified of the application on 25 June 2020 and the proposal attracted 58 comments; 14 were objections, 42 were letters of support and 2 were general comments. The comments received are addressed in the Assessment Section of the report.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The site is an allocated housing site as designated in the adopted Edinburgh Local Development Plan.

Date registered

15 June 2020

Drawing numbers/Scheme

01-12,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer

E-mail: laura.marshall@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Other Relevant policy guidance

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

Appendix 1

Application for Planning Permission 20/02413/FUL At Land 102 Metres Southeast Of The Farmhouse, Almondhill, Kirkliston Development of a 48 bed care home (class 8) and associated access, parking and landscaping

Consultations

Transport Planning

No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant will be required to contribute:
 - a. the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
 - b. the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
 - c. the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit on sections of Burnshot Road (starting from existing 30mph sign towards Kirkliston), and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;**
- 2. A minimum of 3 secure cycle parking spaces required for the proposed development;*
- 3. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details. Swept path diagrams for 12m long vehicles, together with bin store locations and collection arrangements will be required;*
- 4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 5. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users.*

Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;

6. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

Note:

a) The applicant proposes 14 car parking spaces including 2 disabled bays and 2 EV charging spaces and complies with the Council's parking standards;

b) 2 motorcycle parking spaces being proposed complies with the Council's minimum requirement;

c) The proposed development is predicted to generate 22 two-way peak vehicular trips (14:00-15:00) and falls outside the road network peak morning and evening period.

d) The applicant has demonstrated that appropriate visibility splay (2.4m x43m) can be achieved for the proposed site access;

e) The applicant by means of swept path analysis demonstrated that servicing could be done;

f) It should be noted that due to safety concerns of prospective residents of the proposed care home, active travel routes through the site could not be provided.

Flood Planning

Thank you for the consultation request. CEC Flood Prevention have no significant concerns over this application.

We would encourage the applicant to continue to engage with Scottish Water to confirm they agree with the proposed surface water discharge to the surface water sewer, following their technical approval stages.

This application can proceed to determination, with no further comment from our department.

Aerodrome Safeguarding

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:

- monitoring of any standing water within the site temporary or permanent

- sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards.'
- reinstatement of grass areas
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- monitoring of waste imports (although this may be covered by the site licence)
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

Reason: *It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.*

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building.

Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances, it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.

Submission of SUDS Details

Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:

- Attenuation times
- Profiles & dimensions of water bodies

- Details of marginal planting

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

Reason: *To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)*

We would also make the following observations:

Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

Archaeology

Further to your consultation request, I would like to make the following comments and recommendations in respect to this application for the development of a 48-bed care home (class 8) and associated access, parking and landscaping

Almondhill Farm occupies an area of high ground to the North of the River valley for the River Almond and to the east of the medieval town of Kirkliston. Almondhill Farm was formed in 1815 with the merger of the historic farms of Cattlebuck, Milton, Meadows and Loanhead and occupies the site of the former Cattlebuck or Cattlebow Farm recorded from as early as 1535 (Harris, Place Names of Edinburgh). Recent excavations at Gogar and Newbridge have shown that the high ground along the River Almond and its flood plain have been a focus for occupation since the Neolithic Period. Closer to this site excavations by AOC Archaeology Group (AOC 20195) in 2008, during the construction of the Kirkliston North development, uncovered the remains of a Neolithic/bronze age occupation including a polished stone axe and a group of truncated features, the remains of a possible unenclosed settlement.

The sites location places it within an area of archaeological potential adjacent to the medieval town of Kirkliston and on hill, ground overlooking the River Almond to the North. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local

Development Plan (2016) Policies ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The site is regarded as being located within an area of archaeological potential for containing archaeological remains associated with the development of the 16th century Cattlebuck Farm and prehistoric occupation (including possible funerary remains) dating back over 6000 years to the early Neolithic. The development will require significant ground-breaking activities associated with construction, landscaping and associated works which would have an adverse impact upon any surviving remains.

Though the overall significance of such impacts is regarded as low-moderate, it is recommended that a programme of archaeological excavation is undertaken prior to development to fully excavate, record and analysis any significant buried remains affected.

This will require a phased archaeological programme of work the initial phase will be the undertaking of an archaeological evaluation (10%) and metal-detecting survey of the site. The results of this programme of evaluation will allow to produce detailed secondary mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains prior to/during construction including public engagement.

It is recommended that following condition be applied to ensure that the above programmes of archaeological work are carried out;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, metal detecting, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Location Plan



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